

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

TERRANCE DAVIS,

Plaintiff,

v.

PICKENS, *et al.*,

Defendants.

Case No. 3:24-CV-00119-ART-CLB

**ORDER DENYING MOTION TO COMPEL**

[ECF No. 54]

Before the Court is Plaintiff Terrance Davis's ("Davis") motion to compel. (ECF Nos. 54.) For the reasons discussed below, the motion is denied, with leave to refile.

Prior to filing a discovery motion, the parties must first undertake a good faith effort to resolve any dispute among the parties. A discovery motion will not be considered unless the movant has made a good-faith effort to meet and confer with the opposing party before filing the motion. To comply with the meet and confer requirement, an incarcerated party is required to send a written communication to opposing counsel or party explaining, with specificity, the discovery dispute and a request to hold a telephonic meet and confer session. (See ECF No. 43 at 4-5.)

If the meet and confer efforts are unsuccessful, the party seeking to compel discovery, or a protective order, may file a discovery motion. The motion must include the following: (1) a declaration providing the details and results of the meet-and-confer conference about each disputed discovery request; and (2) the full text of each discovery request and disputed response at issue. (*Id.*)

Davis's motion is improper for several reasons. As discussed above, discovery motions will not be considered if a meet and confer has not taken place prior to a discovery motion being filed. Here, it is unclear if the parties met and conferred prior to the filing of the motion, as Davis does not include a declaration providing the details and results of the meet-and-confer conference. Additionally, while Davis asserts that Defendants have failed to respond to interrogatories and requests for production of

1 documents, he does not provide the full text of each discovery request and the disputed  
2 response at issue. Therefore, the Court cannot discern what specific discovery Davis  
3 seeks to compel.

4 Accordingly, Davis's motion to compel, (ECF No. 54), is **DENIED**, with leave to  
5 refile. If Davis chooses to refile his motion to compel, he is advised that he must comply  
6 with all the requirements set forth above.

7 **IT IS SO ORDERED.**

8 **DATED:** March 6, 2025

9   
10 **UNITED STATES MAGISTRATE JUDGE**  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28